IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 23658 of 2004

Between:

Talla Rami Reddy S/o late Anji Reddy
R/o Ravela Village, Tadikonda Mandal, Guntur District

..... PETITIONER

AND

1 The Superintendent of Police, Guntur District, Guntur
2 The Deputy Superintendent of Police, Guntur Rural, Guntur
3 Danda Siva Reddy S/o Veera Reddy R/o Near Swaraj Theatre, Bose Road Tenali Town, Guntur District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Habeas Corpus directing the Respondents for cause production of the petitioner's mother by name smt Talla nagaratnamma W/olate Anji Reddy 68 years, R/o Ravela Village, Tadkonda Mandal, Guntur District before this Hon'ble High Court in person and to declare the action of the Respondents as illegal, arbitrary unconstitutional and against to the principles of natural justice and to pass such other and further orders

Counsel for the Petitioner: MR.B.CHINNAPA REDDY

Counsel for the Respondent Nos.1 and 2: THE ADVOCATE GENERAL

Counsel for the respondent No.3: None appeared

The Court made the following :

HON'BLE MR. JUSTICE BILAL NAZKI

AND

HON'BLE DR. JUSTICE G. YETHIRAJULU

W.P.No. 23658 of 2004

ORDER: (Per Hon'ble Mr. Justice Bilal Nazki)

Heard learned counsel for the parties. The detenue is produced. She is an old lady, but she is mentally alert and capable of making a statement. We have recorded her statement in which she has stated that she wants to live with the petitioner who is one of her sons and does not want to live with the 3rd respondent who kept her with him forcibly against her wishes. In these circumstances, we allow this writ petition and allow the detenue to go along with the petitioner. The police officer who is accompanying her shall accompany her to the house of the petitioner.

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BN J.

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GYR J.

Dt. 31.12.2004

KR

Sd/-

ASST. REGISTRAR

To

1 The Superintendent of Police, Guntur District, Guntur
2 The Deputy Superintendent of Police, Guntur Rural, Guntur
3. 2CCs to Advocate General, High Court Building, Hyderabad (out)

4. 2CD copies